

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MICHAEL P. ALLEN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 2:06-cv-879-WKW
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

WALLACE MONTGOMERY, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 2:06-cv-880-WKW
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER

This cause is before the court on the motions to consolidate filed by the government. (*Case No. 2:06-cv-879-WKW*, Doc. # 6; *Case No. 2:06-cv-880-WKW*, Doc. # 7.) In its motions, the government seeks consolidation of the above-referenced cases for discovery and trial. *Id.* Plaintiffs in these cases filed responses to the motions wherein they oppose consolidation for trial, but not discovery.¹ Accordingly, it is hereby

ORDERED that, pursuant to Federal Rule of Civil Procedure 42, the motions for consolidation are GRANTED in part and DENIED in part. The above-referenced cases are

¹ (*See Case No. 2:06-cv-879-WKW*, Doc. # 9; *Case No. 2:06-cv-880-WKW*, Doc. # 12.)

consolidated for discovery purposes and *Case No. 2:06-cv-879-WKW* shall be the lead case.

The parties are hereby ADVISED that any motion to consolidate these cases for trial shall be filed after discovery is completed and will be considered by the court at that time.

The Clerk of the Court is hereby DIRECTED to docket and place a copy of this Order in the above-referenced cases.

DONE this 21st day of December, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE